



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ - ೧೫೫ Volume - 155	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೨೭, ಆಗಸ್ಟ್, ೨೦೨೦ (ಭಾದ್ರಪದ, ೫, ಶಕವರ್ಷ, ೧೯೪೨) Bengaluru, THURSDAY, 27, AUGUST, 2020 (BHADRAPADA, 5, ShakaVarsha, 1942)	ಸಂಚಿಕೆ ೩೫ Issue 35
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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು,
ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ
ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು
ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ
ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

PERSONNEL AND ADMINISTRATIVE REFORMS SECRETARIAT NOTIFICATION

No. DPAR 22 CHUVEBA (ADL.CEO1) 2020, Bengaluru, Dated: 05th August 2020.

The following order No. 76/ORD/ECI/TERR/SOU2-KAR/2018 Dated: 22nd July 2020, of the
Election Commission of India is republished hereunder for general information:

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 76/ORD/ECI/TERR/SOU2-KAR/2018

Dated: 22nd July, 2020
31 Ashadha, 1942 (Saka)

ORDER

Whereas, the Election Commission of India is satisfied that each of the contesting candidate specified in column 4 of the Table below at the General Election to the Legislative Assembly, 2018 from the state of Karnataka specified in column 2 and held from the Assembly

Constituency specified in column 3 against his/her name has failed to lodge the account of his/her election expenses as shown in column 5 of the said Table as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And whereas, the said candidates have furnished neither any reason nor explanation for the said failure even after due notice by the Election Commission or after considering the representation made by them, if any, the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column 4 of the Table below to be disqualified for being chosen as and for being a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State or of Union Territory for a period of three years from the date of this order.

Sl. No.	Particulars of Election	Sl. No. & Name of Assembly Constituency	Name & Address of Contesting Candidate	Reasons for Disqualification
1	2	3	4	5
1.	General Election to the Legislative Assembly of Karnataka, 2018	39-Gurmitkal	Shri Jaffar Hussain S/O. Mainuddin, R/O. H.No:1-1-99/3, Near Gas Agency, Donnigeri, Shorapur, TQ Shorapur, Dist: Yadagri	Failed to lodge account of election expenses
2.	General Election to the Legislative Assembly of Karnataka, 2018	101-Hosadurga	Shri M.C. Dhananjaya M.G. Dibba Grama, Kasaba Hobli, Hosadurga, Karnataka.	Failed to lodge account of election expenses
3.	General Election to the Legislative Assembly of Karnataka, 2018	114-Thirthahalli	Shri T. Muneer Gandhinagara, Shubinakere Post, Thirthahalli Town, Thirthahalli Taluk, Shimoga District	Failed to lodge account of election expenses

4.	General Election to the Legislative Assembly of Karnataka, 2018	131-Kunigal	Shri Herur Dhanaraj S/O Rajanna @ Narasimhaiah, Herur Village and Post, Kasaba Hobali, Kunigal Taluk.	Failed to lodge account of election expenses
5.	General Election to the Legislative Assembly of Karnataka, 2018	131-Kunigal	Smt. Bhagyalakshmi. E, W/O Shanthakumar, Singonahalli Village and Post, Kothager Hobali, Kunigal Taluk.	Failed to lodge account of election expenses

By order,

(B.C. PATRA)
SECRETARY

ELECTION COMMISSION OF INDIA

K.M. PRANESHAssistant Chief Electoral Officer and
Ex-officio Under Secretary to Government (I/c),
DPAR (Elections)**PR-05**

<p>ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ</p> <p>ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಇ 01 ಕೇನಿಪ್ರ 2020 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:20-08-2020.</p> <p>ಅಧಿಸೂಚನೆ</p> <p>ದಿನಾಂಕ: 27-02-2020 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II Section-3 Sub Section (II) ರಲ್ಲಿ ಪ್ರಕಟವಾದ MINISTRY OF JAL SHAKTI (Department of Water Resources, River Development and Ganga Rejuvenation) NOTIFICATION S.O.888(E)ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.</p>		
	<p>MINISTRY OF JAL SHAKTI (Department of Water Resources, River Development and Ganga Rejuvenation) NOTIFICATION New Delhi, the 27th February, 2020</p>	
	<p>S.O. 888(E).—Whereas the Central Government in exercise of the powers conferred by Section 4 of the Inter-State Water Disputes Act, 1956(33) of 1956 (hereinafter referred to as “ the Act”), had constituted by notification number S.O.2786(E), dated the 16th November, 2010, the Mahadayi Water Disputes</p>	

	<p>Tribunal (hereinafter referred to as “ the Tribunal”) to adjudicate upon the water dispute regarding the inter-state river Mahadayi;</p> <p>And whereas, the Tribunal has given Report-cum-final decision on the 14th August, 2018 and forwarded the same to the Central Government for further necessary action;</p> <p>And whereas the State of Maharashtra, the State of Karnataka and the State of Goa have filed SLP(C) No. 32517/2018, 33018/2018, 19312/2019 respectively against the Report-cum-final decision dated the 14th August, 2018 of the Tribunal in the Hon’ble Supreme Court;</p> <p>And whereas, the Hon’ble Supreme Court has given its direction on the 20th February, 2020 in I.A. No. 109720/2019 in SLP No.33018/2018, that—</p> <p>“The State of Karnataka has filed an interlocutory application for a direction to the Union of India to publish the award dated the 14th August, 2018 of the Mahadayi Water Disputes Tribunal.</p> <p>The prayer is not opposed by Mr. Arvind P. Datar, learned Senior Counsel appearing on behalf of the State of Goa or by Mr. Deepak Nargolkar, learned Senior Counsel appearing on behalf of the State of Maharashtra.</p> <p>The interlocutory application is allowed, subject to the result of the pending proceedings.”</p> <p>Now, therefore, in exercise of the powers conferred by section 6 of the said Act, the Central Government hereby publishes the aforesaid Award and final decision of the Tribunal, namely:-</p>	
	<p style="text-align: center;">AWARD AND FINAL DECISION OF THE MAHADAYI WATER DISPUTES TRIBUNAL</p>	
	<p>(Water Dispute amongst the States of Goa, Karnataka and Maharashtra, namely, dispute regarding the Inter-State River Mahadayi and the river valley thereof.)</p> <p>Clause-I</p> <p>The river Mahadayi or river Mandovi or river Madei or river Mhadei is one and the same river system, specific name being used in a particular region, and river Mahadayi or Mahadayi river basin, referred to in this Order is for the entire river and river system;</p> <p>Clause-II</p> <p>The Mahadayi river basin drains an area of 2032 sq.km., out of which an area of 375 sq.km. lies in the State of Karnataka, 77 sq.km. in the State of Maharashtra and rest in the State of Goa;</p> <p>Clause-III</p> <p>For the purposes of this case, the water availability of the entire Mahadayi river basin (inclusive of all tributaries) with total catchment area of 2032 sq.km. i.e., runoff generated over the catchment area of 2032 sq.km. of Mahadayi river basin at seventy-five percent dependability is determined as 5327.5 Mcum (188.06 tmc). The water availability determined herein does not include the import of water to Mahadayi river basin from Tillari (Chapora) river through Tillari Irrigation Project;</p>	

Clause-IV

For the purposes of this case, the water availability of the catchment area of the Mahadayi river including the tributaries of the Mahadayi river in the territory of the State of Karnataka (for the catchment area of 375 sq.km.) at 75% dependability is determined as 909.8 Mcum (32.11 tmc);

Clause-V

For the purposes of this case, the water availability of the catchment area of the tributaries of the Mahadayi river in the territory of the State of Maharashtra (for the catchment area of 77 sq.km.) at 75% dependability is determined as 204.2 Mcum (7.21 tmc);

Clause-VI

Having noted the facts that:-

- (a) the present level of utilization of waters of Mahadayi river basin is not more than five percent of the water availability at seventy-five percent dependability;
- (b) the projection of the future requirements of waters of Mahadayi river basin by the respective party States for various purposes in the States is not fully justified as the projections are (i) not based on adequate and consistent data or information, (ii) not based on scientific research and studies, (iii) without proper evaluation and consideration of social, economic and ecological considerations, and (iv) without examining the sustainability of the resource;
- (c) all the requisite data and information required for evaluation of the demands of the three States for equitable apportionment in light of various criteria, particularly those mentioned in either the Helsinki Rules or the Water Resources Law of International Law Association, Berlin Conference, 2004, are not provided by the respective States in their respective cases or claims; the Tribunal finds that equitable apportionment of Mahadayi waters amongst the party States is neither necessary nor feasible at this stage;

Clause-VII

The Tribunal is of the firm view and hence decides that in the absence of any apportionment of water amongst the party States, the activities related to water resources development for the benefit of the society must not stop and people of the party State must not suffer. Therefore, the Tribunal, after examination of the various proposals submitted by the States and keeping in view all available information and particularly from the view point of (a) sustainability of the resource, and (b) ecological needs, permits the States to undertake specific activities as stated in Clause VIII;

Clause-VIII & IX

The three party States, namely, Karnataka, Maharashtra and Goa, are permitted to undertake specific water resources development activities in the Mahadayi river basin as under;

A. KARNATAKA

- (i) The demand of the State of Karnataka for 42.5 Mcum (1.5 tmc) of water for in-basin consumptive use for drinking water and irrigation within the Mahadayi river basin, along with evaporation losses from the reservoir (or reservoirs) through proposed Mahadayi Hydro-Electric Project is considered as reasonable and is hereby granted by the Tribunal;

	<p>(ii) Keeping in view the overall scenario related to water availability, water needs, water demands, essential requirements towards environmental flow, and other related matters, the State of Karnataka is also permitted to divert 61.8 Mcum (2.18 tmc) of Mahadayi water at proposed Bhandura dam and 48.7 Mcum (1.72 tmc) of water at proposed Kalasa dam, only subject to fulfilling the following directions:</p> <p>(a) The State of Karnataka shall undertake fresh planning and development of schemes for consumptive uses within the basin or diversion of water outside the basin, including the reservoir losses, and other related matters, for not more than 61.8 Mcum (2.18 tmc) at the proposed Bhandura dam site;</p> <p>(b) The State of Karnataka shall undertake fresh planning and development of scheme for consumptive uses within the basin or diversion of water outside the basin including the reservoir losses and other related matters for not more than 48.7 Mcum (1.72 tmc) at the proposed Kalasa dam site;</p> <p>(c) Such utilizations shall necessarily require thorough review and modification of the Detailed Project Reports by the State Government of Karnataka. The State of Karnataka shall prepare modified Detailed Project Reports for diversion of water from the Mahadayi river basin; and</p> <p>(d) The proposals in the form of Detailed Project Reports would be considered for implementation only after technical appraisal of the proposed projects by the central agencies, and only after obtaining all mandatory clearances as required by law;</p> <p>(iii) The State of Karnataka is permitted to develop the Mahadayi Hydro Electric Power Project at Kotni for hydropower generation, a non-consumptive use, in addition to the aforementioned consumptive use of 42.5 Mcum (1.5 tmc) of water within the basin for drinking water, irrigation, and other related matters. However, the State of Karnataka shall modify the Detailed Project Report of the proposed Mahadayi Hydro Electric Power Project adopting the water availability at 75% dependability at the proposed project site limiting to a maximum of 227.4 Mcum (8.02 tmc), that is, the water availability at 75% dependability assessed by the Tribunal (from the catchment area of 93.19 sq.km. i.e., without the Bhandura catchment of 32.25 sq.km.) only. The State of Karnataka is directed in clear terms that such utilizations would be permissible only after thorough review and modification of the Detailed Project Reports and that the proposals in the form of Detailed Project Reports would be considered for implementation only:- (a) after technical appraisal of the proposed projects by the Central Agencies; and (b) after obtaining all mandatory clearances as required by law. Until such exercises are completed, no amount of water shall be actually utilized by the State of Karnataka at the proposed Mahadayi Hydro Electric Power Project at Kotni;</p>	
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	<p>(iv) The demand of the State of Karnataka for diversion of 156.6 Mcum (5.527 tmc) of water of Mahadayi river basin to the Supa reservoir of the Kali Hydro-Electric Power Project, for generation of hydro-power is not found justified by the Tribunal, and is therefore, rejected;</p> <p>(v) The demand of the State of Karnataka in respect of proposed diversion of 198.3 Mcum (7 tmc) of surplus water from the proposed Kotni reservoir of the Mahadayi Hydro Electric Power Project, has also not been found justified and is hereby rejected by the Tribunal;</p>	
	<p>B. MAHARASHTRA</p> <p>(i) The Tribunal permits the State of Maharashtra limiting to 15.93 Mcum (0.56 tmc) of water for Viridi Large MI Project, which shall include all consumptive uses including reservoir losses, subject to the condition that the State of Maharashtra shall revise the project features and prepare a modified detailed project report (DPR) to utilize a maximum 15.93 Mcum (0.56 tmc) of water for various purposes within the basin;</p> <p>(ii) The Tribunal also permits the State of Maharashtra to use a total of 21.8 Mcum (0.77 tmc) of water in respect of four proposed projects, namely, (a) 0.32 tmc for (Morachi Rai) Minor Irrigation Project, (b) 0.16 tmc for Viridi B Minor Irrigation Project, (c) 0.27 tmc for Dhangarwadi Minor Irrigation Project, and (d) 0.02 tmc for Ambadgaon Minor Irrigation Project</p> <p>(iii) The aforesaid projects shall require thorough review and modification of the Detailed Project Reports by the State Government of Maharashtra before implementation and shall be undertaken only (a) after technical appraisal of the proposed projects by the Central Agencies; and (b) after obtaining all mandatory clearances as required, by law;</p> <p>(iv) In all, the State of Maharashtra is permitted to utilize 37.73 Mcum (1.33 tmc) of Mahadayi water which shall be inclusive of all consumptive uses including reservoir and other losses. Rest of the claims of the State of Maharashtra is not found justified and are hereby rejected;</p>	
	<p>C. GOA</p> <p>(i) The Tribunal finds that the profile of the identified 59 project sites, presented through Detailed Project Reports by the State of Goa (although these reports cannot be considered as the "Detailed Project Reports"), particularly in respect of availability of water at each of the project sites, availability of utilizable water, and other related matters, and the projected utilization of water for various purposes, are not based on requisite field investigations and studies. But, the identification of 59 water resources development project sites by the State of Goa, is a step in the positive direction. In the absence of any other reliable action plan, the Tribunal permits the State of Goa to go ahead with: (a) undertaking proper investigations and studies; (b) preparing the detailed project reports; (c) seeking clearances from central agencies; and (d) obtaining all mandatory clearances from the competent authorities for a maximum consumptive utilization (including drinking water requirements for both human beings and livestock, municipal water needs, irrigation water requirements and industrial water demands) of</p>	

	<p>668 Mcum (24 tmc) of water of Mahadayi river basin at seventy-five percent dependability through aforementioned 59 identified projects. The Tribunal does not put any restriction on non-consumptive use of water of Mahadayi river basin by the State of Goa;</p> <p>(ii) The permission of the Tribunal to the State of Goa to plan for utilization of 668 Mcum (24 tmc) of water at seventy-five percent dependability, is over and above the existing utilization of 9.395 tmc by the State of Goa;</p> <p>(iii) The State of Goa is permitted to plan and utilize a maximum of 24 tmc of water at seventyfive percent dependability, as inbasin needs subject to following conditions:</p> <p>(a) Availability of water at seventy-five percent dependability and the utilizable water at each of the aforementioned sites shall be assessed after duly accounting for the environmental flow in accordance with “Standard Terms of Reference for Environmental Impact Assessment or Environmental Management Plan Report for Projects or Activities Requiring Environment Clearance under EIA Notification 2006” of the Ministry of Environment, Forest and Climate Change published in April 2015;</p> <p>(b) Technical appraisal of the detailed project report of each of the aforementioned 59 projects shall be conducted by the Central Agencies; and</p> <p>(c) Mandatory clearances for each of the aforementioned 59 projects by the competent authorities.</p> <p>Clause-X The Order passed by this Tribunal on 17th April, 2014, while disposing I.A. No. 1 of 2012 filed by the State of Goa, will continue to be operative and will stand vacated or revoked only after:</p> <p>(i) The State of Karnataka prepares revised Detailed Project Report for consumptive uses within the basin or diversion of water outside the basin including the reservoir losses and other related matters, for not more than 1.72 tmc at the proposed Kalasa dam site as permitted under Clause VIII & IX;</p> <p>(ii) The revised Detailed Project Report of Diversion Scheme at Kalasa Dam site is appraised by the Central Agencies and is duly cleared;</p> <p>(iii) All mandatory clearances are obtained as per law; and</p> <p>(iv) The State of Karnataka is allowed to take up works as per duly approved revised Detailed Project Report either by the Mahadayi Water Management Authority or the Union Government.</p>	
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Clause-XI

The Order passed by this Tribunal on 11th February, 2015, while disposing I.A. No. 28 of 2012 filed by the State of Goa, will continue to be operative and will stand vacated or revoked only after:

- i. The State of Maharashtra prepares revised Detailed Project Report of Viridi Large MI Project, limiting to consumptive use of 0.56 tmc of water including reservoir losses and other related matters as permitted under Clause VIII & IX;
- ii. The revised Detailed Project Report of Viridi Large MI Project is appraised by the Central Agencies and is duly cleared;
- iii. All mandatory clearances are obtained as per law; and
- iv. The State of Maharashtra is allowed to take up works as per duly approved revised Detailed Project Report either by the Mahadayi Water Management Authority or the Union Government;

Clause-XII

The Central Government shall constitute an Authority, called 'Mahadayi Water Management Authority' to implement the Report and final decision of Mahadayi Water Disputes Tribunal with functions and compositions etc. as mentioned at para 1350 to para 1369 of this Report;

Clause-XIII

At any time after 31st August, 2048, the Award or Final Decision may be reviewed or revised by a Competent Authority or Tribunal, but such review or revision shall not as far as possible disturb any utilization that may have been undertaken by any State within the limits of allocation made to it;

Clause-XIV

The Governments of Goa, Karnataka and Maharashtra shall bear their own costs for appearing before the Tribunal. The expenditure of the Tribunal shall be borne and paid by the aforesaid three States in equal shares;

Clause-XV

Nothing contained herein shall prevent the alteration, amendment or modification of all or any of the Clauses by agreement between the Parties; and

	<p>Clause-XVI</p> <p>This Award or Final Decision of the Tribunal shall come into operation on the date of its publication in the Official Gazette as required by section 6 of the Inter-State River Water Dispute Act, 1956.</p> <p>New Delhi Dated: August 14, 2018</p> <p>Sd/- J. M. Panchal; Chairman Sd/- Viney Mittal; Member Sd/- P. S. Narayana, Member [F. No. 19/2/2020-BM] U. P. SINGH, Secy.</p>	
	<p>ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ (ಆರ್. ಶ್ರೀನಿವಾಸ) ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ</p>	

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